Forging Power in Social Death: The Violent Secret Society of the Witwatersrand, 1890-1920

The discovery of one of the largest gold deposits on the *Witwatersrand* in 1886 brought many fortune seekers to the burgeoning city of Johannesburg. The city and its surrounding area rapidly adjusted to the gold rush, turning a city of tents into an industrial hub. However, for thousands of African men, the situation was a crucible of injustice. They were exposed to racial oppression, exploitative labor, and instruments of social control. In these conditions, a group of men formed into a brutal and sophisticated counter-society. The secret society, known as the Ninevites, rose as a response to the racist colonial system that had systematically stripped them of their dignity.

This analysis builds on the important work of Dr. Charles van Onselen by analyzing the testimonies of gang members and introducing a new theoretical lens. Van Onselen's foundational scholarship offers a crucial bottom-up history, focusing not on prominent colonial figures but on the socially isolated and marginalized who left their distinct mark on South Africa. His analysis of total institutions and the gang as lumpenproletariat highlights the influence of people forced to live on the fringes of South African society.

Van Onselen contributed to the historiography by studying the formation of the gang, which during the gold rush era was most commonly known as the Ninevites, and by creating a work that focused strictly on their leader, known in the underworld as "*Nongoloza*." Specific works by Dr. van Onselen which focus on the Ninevites and its leader include: New Babylon, New Nineveh: Everyday Life on the Witwatersrand 1886-1914 (1982), The Small Matter of a Horse: The Life of 'Nongoloza' Mathebula, 1867-1948 (1984), and “Crime and Total Institutions in the Making of Modern South Africa: The Life of 'Nongoloza' Mathebula, 1867-1948 (1984).[1]

[1] Charles van Onselen, *New Babylon, New Nineveh: Everyday Life on the Witwatersrand 1886-1914*, 2nd ed. (Johnathan Ball Publishers, 2001); Charles van Onselen, *The Small Matter of a Horse: The Life of 'Nongoloza' Mathebula , 1867-1948* (Johannesburg: Ravan Press, 1984); Charles van Onselen, "Crime and Total Institutions in

In these works, he traced the gang's growth, from a group of disorganized petty criminals to an organized group that had successfully integrated a robust and distinct hierarchy, and he researched the life of its leader, following him from his childhood to his death. This meant that Van Onselen successfully chronicled the gang leader's life across the phases of his life and his different aliases, proceeding in order from Mzuzephi Mathebula to Jan Note and finally to Nongoloza. Critically, Van Onselen's work also used Erving Goffman's theory of total institutions to analyze the gang within compounds and prisons. He used this theory to explain the dynamics of these institutions and how they shaped the Ninevites.

While Van Onselen's work has provided an essential historical and sociological foundation to the study of the Ninevites, this paper extends his arguments by applying Achille Mbembe's theory of Necropolitics and by using testimonies of gang members and policemen to further analyze the power dynamics that gave rise to the gang and to give further voice to marginalized gang members.[2] The testimonies and the contemporary lens of the theory of necropolitics allow a deeper examination of the structural violence and injustice that created the social conditions necessary for the Ninevites' emergence.

This paper uses Achille Mbembe's theory of Necropolitics to analyze the colonial state's sovereign power. The state's sovereign power allowed it to relegate African men to social death. African men were subjected to social death because the colonial state systematically stripped African men of their rights, freedom, and social recognition. This rendered men socially dead while being biologically alive. This theory illuminates the true depth of colonial structural violence and what its impact on the people subjected to it.

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the Making of Modern South Africa: The Life of 'Nongoloza' Mathebula, 1867-1948." History Workshop no. 19 (1985): 69. http://www.jstor.org/stable/4288623.

[2] Achille, Mbembe and Steve Corcoran, *Necropolitics* (Durham North Carolina: Duke University Press, 2019).

Through the state's necropolitical control, these socially dead men were funneled into mining compounds and the prison systems. The Ninevites were then able to recruit and exploit these men, who were vulnerable because they lacked clear institutional protection from the colonial state. So, it was in these institutions that the Ninevites consolidated their power. Erving Goffman's theory of total institutions helps explain this phenomenon. The compounds and prisons can be classified as total institutions because they are places where all facets of life are conducted. In these places, work, leisure, and sleep are done in a controlled space under the authority of a single entity.[3] These total institutions provided a concentrated population where the Ninevites could enforce their own hierarchy and rules within the walls of these institutions, thereby forming an alternative social structure within the colonial institutions themselves.

Finally, viewing the Ninevites as lumpenproletariat brings the above-mentioned theories into greater context, unifying the paper's argument. Lumpenproletariat are "fallen proletariat".[4] The creator of communist theory, Karl Marx, did not believe that the lumpenproletariat could even be considered a class because their marginality made them politically ambiguous. However, It was imperative to Marx's agenda that the proletariat be seen as heroes so that they could become the vanguard for societal revolution.[5] So, the politically ambiguous aspects were dismissed from the definition of the proletariat. This created the proletariat, a virtuous class that could fight for a communist revolution that would lead to a communist society.[6]

The term lumpenproletariat effectively describes the class of people created by the injustices of the colonial system. It was these marginalized people, created through necropolitical control and consolidated under the Ninevites' control through the colonial states' total

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[3] Erving Goffman, *Asylums: Essay on the Social Situation of Mental Patients and Other Inmates* (Aldine Publishing Co, 1962).
[4] Leopold N. Podlashuc, "Class for itself?: Shack/slum Dwellers International: The Praxis of a Transnational Poor Movement" (dissertation, University of Technology Sydney, 2007), 92, http://hdl.handle.net/10453/21885.
[5] Podlashuc, "Class for itself?," 92.
[6] Podlashuc, "Class for itself?," 95.

institutions, that formed the backbone of the Ninevites' tangible power over their members and society. The marginalized social standing of the members had directly contributed to their decisions and rationale in joining the gang. Using these three theories draws on strands of insight from each to yield a clearer understanding of the Ninevites.

The work draws on many primary sources, which add historical depth but also have clear limitations and biases. Testimonies from gang members are analyzed, but they are analyzed skeptically because the testimonies were given when the gang members were crown witnesses. This means that the testimonies are self-serving and, by their nature, limit their own culpability. Letters from high ranking police officials are analyzed to give a voice to the bureaucracy that tried to control the gang. However, the testimonies also reflect the pitfalls of a racist state as Africans are referred to as “natives.” Despite this, the primary sources used allow the work to use the voices of both gang members and policemen. The primary sources used effectively reveal the power dynamics necessary to analyze the gang.

This paper contends that the Ninevites, a powerful criminal gang formed during the 1890s on the Witwatersrand, emerged directly in response to the necropolitical strategies of the colonial state. By relegating African men to social death through exploitative economic systems and racist laws, the colonial state created a class of lumpenproletariat, concentrating them in prisons and mining compounds. These total institutions inadvertently enabled the Ninevites to build an organized counter-society. Thus, the Ninevites provided an alternative identity and community for marginalized men, ultimately revealing how colonial violence fostered new forms of resistance and self-determination, albeit in the form of a violent secret society.

2. The Gold Rush, Pass Laws, Compounds, Migrant Work, and the Creation of the Lumpenproletariat

The discovery of gold proved to be an incredible economic boon for the Boer Republic of the *Transvaal*, quickly becoming its largest economic activity.[7] However, the gold rush was politically volatile because the gold found was under the control of the Transvaal (ZAR).[8] The Transvaal was a young state founded in 1852 following the Sand River Convention. The economic potential of the gold fields put extreme pressure on the Transvaal government because it threatened British imperialist goals in the region.[9] The Boer Republic could not become a powerful, self-sufficient state capable of resisting British imperialism. Imperialist tensions would lead to the South African War from 1899 to 1902, with a previous attempt to overthrow the state, the failed Jameson Raid, occurring in 1896.

It was under this larger political landscape that gold reshaped South African society through industrialization.[10] Gone were the small-scale diggers, which had dominated gold mining in the ZAR during the 1850s and mid-80s.[11] Within a decade, small-scale operations gave way to large-scale deep-level mining, which required more supplies, equipment, and labor.[12] This situation vastly improved production capacity, putting the Transvaal on the international scene through its gold production. Within a few years after the discovery of gold, the Transvaal's production held up on the international scale. This spurred the growth of the city of Johannesburg and the surrounding geographical area of the Witwatersrand, which brought the Transvaal into a new era, the gold era.

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[7] Charles van Onselen, *The Cowboy Capitalist: John Hays Hammond, the American West, and the Jameson Raid in South Africa* (Charlottesville: University of Virginia Press, 2018), 26.
[8] Leonard Thompson, *A History of South Africa* (Yale University Press, 2014), 110.
[9] Thompson, *A History of South Africa*, 110.
[10] Van Onselen, *New Babylon, New Nineveh*,
[11] Peter Richardson and Jean Jacques Van-Helten, "Labour in the South African Gold Mining Industry, 1886-1914," in *Industrialisation and Social Change in South Africa: African Class Formation, Culture, and Consciousness, 1870-1930*, eds. Shula Marks and Richard Rathbone (New York: Longman Inc, 1982), 77.
[12] Richardson and Van-Helten, "Labour in the South African Gold Mining Industry," 77.

The international gold rush had given the Boer Republic of the Transvaal greater economic power. However, the industry simultaneously threatened to destroy the Transvaal's political foundations. While the economy was bustling, the Transvaal's political mechanisms struggled to handle the rapid industrial change and the sheer scale of economic growth brought by the gold rush. The state was designed to produce a Boer (farmer) elite, and therefore its primary focus was an agricultural economy.[13] The political fabric of the republic, its laws and constitution, was created to cater only to a small industrial economy.[14] However, by 1913, less than three decades after the Transvaal's gold was first mined and exported, 40% of the world's gold would be mined and exported from the Transvaal.[15]

The rapid growth of Johannesburg and the industrialization of the Witwatersrand were accompanied by significant immigration to the area. The allure of gold brought fortune seekers of all types: educated and uneducated, skilled and unskilled; laborers and scoundrels.[16] The Boer Republic of the Transvaal struggled to assimilate these migrants into the culture it had sought to create through its constitution and laws.

The many immigrants who now proliferated the republic were condescendingly referred to as *uitlanders* (outsiders). While this referred mostly to British immigrants, the term also served as a blanket statement for other fortune seekers. The term 'uitlander' highlighted the social tensions created by the gold rush and helped fuel a profound lack of social cohesion in the Transvaal. The structurally unprepared government of the Transvaal struggled to maintain social stability amid the mass immigration of fortune seekers from all social backgrounds.

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[13] Van Onselen, *The Cowboy Capitalist*, 25.
[14] Van Onselen, *The Cowboy Capitalist*, 25.
[15] Van Onselen, *New Babylon, New Nineveh*, 1.
[16] Van Onselen, *The Cowboy Capitalist*, 25.

The social tension created by the uitlanders was a symptom of the gold rush. However, this tension was increased due to the rapid pace of industrialization, which created a city lacking productive outlets and a pronounced sense of social tension.[17] For example, the excessive drinking of liquor was prevalent and even encouraged in order to create a more compliant workforce for the mines.[18]

Due to the rapid industrialization of the gold rush, there was a distinct lack of families present on the Witwatersrand.[19] This played a further role in helping the drunkenness and other degenerate behavior that proliferated within the area. These conditions and behaviors are further signs that the Transvaal lacked a strong sense of social stability.

In the face of this situation, the Boer Republic of the Transvaal's social institutions failed to meet the demand of the gold rush. The social institutions meant to enforce social stability were under-equipped and ill-suited to handle the situation because they had been created for an agricultural state, not a rapidly industrializing production hub producing gold on an international scale.[20]

An important function of state control, the Transvaal police force, was an example of the state's failure to create viable social institutions. The Transvaal's police force was ill-equipped to deal with urban crime.[21] The police force had been primarily equipped to deal with rural crime, signaling the state's initial intention for a primarily agricultural economy.[22] Furthermore, the Transvaal's police force lacked a cohesive organizational structure and had very little role

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[17] Van Onselen, *New Babylon, New Nineveh*, 1-46.
[18] Van Onselen, *New Babylon, New Nineveh*, 47-108.
[19] Van Onselen, *New Babylon, New Nineveh*, 1-46.
[20] Van Onselen, *The Cowboy Capitalist*, 25; Van Onselen, *New Babylon, New Nineveh*, 1-46.
[21] Van Onselen, *The Cowboy Capitalist*, 23-4.
[22] Van Onselen, *The Cowboy Capitalist*, 25.

specialization.[23] The largely *Afrikaans*-speaking police force struggled with the largely non-Afrikaans population, the uitlanders, who now proliferated the mining town.[24] Due to these structural issues, the police force was unable to effectively deal with the rapid changes on the Witwatersrand brought about by the gold rush. The weaknesses of the police force provided an opportune environment for criminals of all sorts, not only the Ninevites.

Furthermore, the Transvaal's prisons were also under-equipped to effectively deal with criminals. The prisons served only to incarcerate, and the lack of resources meant that hardened criminals were mixed with common ones. The justice institutions of the Transvaal failed to curb crime effectively; in fact, the system served to encourage it. Despite the unstable social situation, the gold industry turned the Transvaal into a strong economic power by the middle of the 1890s.[25]

Despite the massive amount of gold production, which ranked among the highest on the international scale, the grade of gold in the *Witwatersrand* was poor.[26] Therefore, the industry's viability lay in the mines' ability to exploit cheap African labor, which was brought in through migrant labor.[27] The incredibly abundant but low-quality gold enabled the industry to access vast quantities of ore, but it needed cheap labor, which African men provided. So, African men were the backbone of the gold mining industry. The industry's need for cheap African labor was highlighted by a brochure distributed by the Transvaal Chamber of Mines: "the constant and continuous availability of an adequate supply of native labourers is a prime necessity of the

[23] Van Onselen, *The Cowboy Capitalist*, 23-4.
[24] Van Onselen, *The Cowboy Capitalist*, 23-4.
[25] Van Onselen, *New Babylon, New Nineveh*, 1-46.
[26] T. Dunbar Moodie, *Going for Gold: Men, Mines, and Migration* (Berkeley: University of California Press, 1994), 44.
[27] Moodie, *Going for Gold*, 44.

Industry."[28] Without migrant workers, the mining industry could not function profitably at a large scale.

This was further highlighted by a Chamber of Mines brochure stating that, "gold mining on the Witwatersrand, like all other industries in South Africa, has been built up on the basis of coloured labour. If the mines were unable to secure natives to perform manual labour, the cost of production would rise to such a degree that only the richest sections of the gold-bearing conglomerates would be capable of being worked at a profit."[29] For the gold industry to operate at a large scale and achieve maximum profits, a cheap labor force was a foundational need.

The Chamber would stop at nothing to get the wages of African workers, "reduced to a reasonable level."[30] Even as far back as 1890, the gold mining companies had "entered into an agreement for lowering the rate of wages."[31] In its search to better control workers' wages, the Chamber had drafted and lobbied for pass regulations to be implemented on the Witwatersrand. This was discussed in their 1895 report, "The Chamber drafted a set of pass regulations, which provided means for the proper registration and identification of natives, and for compelling them to fulfill contracts voluntarily entered into."[32] Historian Patrick Harries argued that the pass laws of 1895 were more about cutting migrant workers' wages than about social control, but both were achieved.[33] Notably, these laws made it harder for migrant workers to withdraw their labor and reduced their ability to move from mine to mine in search of better conditions.[34] The passes

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[28] The Gold of the Rand: A Great National Industry: 1887-1927, https://hdl.handle.net/2027/coo.31924003624321, 57.
[29] The Gold of the Rand, 57.
[30] Witwatersrand Chamber of Mines, *Seventh Annual Report for the Year Ending 31st December 1895* (Johannesburg: Argus Printing and Publishing Company, 1896), https://hdl.handle.net/2027/njp.32101065323931, 26.
[31] Chamber of Mines, *Seventh Annual Report*, 26.
[32] Chamber of Mines, *Seventh Annual Report*, 26.
[33] Patrick Harries, *Work, Culture, and Identity: Migrant Laborers in Mozambique and South Africa, 1860-1910* (Portsmouth, NH: Heinemann, 1993), 128.
[34] Harries, *Work, Culture, and Identity*, 128.

helped mine owners better control migrant workers, giving them greater power to ensure they completed their contracts and prevented desertion once the company had paid for their travel to the Witwatersrand. These laws also made it harder for workers to desert a mine or move from one mine to another in search of better working conditions. The united front by the mine owners through the Chamber enabled them to keep wages low and control worker movement through the pass laws.

Pass laws had existed in different forms before. The first laws were instituted during the time of Cape slavery.[35] As Historian Doug Hindson said, "pass controls were used to prevent labor from moving freely within the borders of the colony and to restrict the movement of Africans into the colony from across the eastern frontier."[36] The pass laws instituted in 1895 on the Witwatersrand helped to ensure that their investments in migrant workers were better protected by restricting workers' movement.[37]

There were many reasons for migrant work, but the key reason was the removal of Africans from their land. Migrant workers were almost exclusively African men who came from dispossessed African Chiefdoms.[38] This was a key colonial process that helped deepen the powerlessness of Africans, thrusting them into wage labor. These people, who had been systematically denied independent livelihoods, easily fell through the cracks of social support networks once on the Witwatersrand.

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[35] Doug Hindson, *Pass Controls and the Urban African Proletariat in South Africa* (Johannesburg: Ravan Press, 1987), 15.
[36] Hindson, *Pass Controls,*15.
[37] Harries, *Work, Culture, and Identity*, 128.
[38] Peter Richardson and Jean-Jacques van Helten, "The Development of the South African Gold-Mining Industry, 1895-1918." *The Economic History Review* 37, no. 3 (1984), 321, http://www.jstor.org/stable/2597284.

The cheap workforce necessary for the gold mining industry needed to be housed and controlled.[39] Therefore, a natural precedent was the mining compounds already present in Kimberly due to the diamond mines. Compounds were inherently controlling, bare minimum, and disease-ridden by their very nature. Mining compounds on the Witwatersrand served to ensure control and physical presence of the migrant labor force. So, they served as a strong mechanism of physical control.

The demands of migrant work, being separated from families and social support networks, were amplified by the compounds. Migrant workers faced low-paying, dangerous jobs, with little to no upward mobility. This was due to the best jobs in the mines being reserved for whites, leaving the most labor-intensive, dangerous, and physically demanding tasks to African migrant workers.[40]

Unlike the closed compounds of Kimberley, which created the "total isolation of African workers in a world of their own,"[41] The Witwatersrand compounds were open compounds. This meant that workers on the Witwatersrand had greater movement and control of their leisure time. Mining compounds functioned not only as housing but also as instruments of necropolitical control over the bodies of the migrant labor force.

Colonialism and industrialism destroyed established traditions while simultaneously throwing African migrant workers into a harsh working environment. Van Onselen described this phenomenon by saying that in the “transition to a modern industrial state, most black South Africans were systematically denied access to alternative means of earning an independent

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[39] Moodie, *Going for Gold*, 44,77.
[40] Francis Wilson, "Minerals and Migrants: How the Mining Industry has Shaped South Africa." Daedalus 130, no. 1 (2001): 104. http://www.jstor.org/stable/20027681.104.
[41] Rob Turrell, “Kimberley’s Model Compounds.” *The Journal of African History* 25, no. 1 (1984): 61. http://www.jstor.org/stable/181359.

livelihood until the point was reached where they had only their labour to sell, and so came to form the largest part of the working class in the new society."[42]

There was pronounced worker tension on the Witwatersrand as Historian Charles Van Onselen said, "With white workers ranged against black, skilled miners against the mine owners and the Randlords against the state, Johannesburg was racked by class conflict during much of this period."[43] This class conflict permeated the rapidly industrializing Witwatersrand because in the mines, white workers held the skilled and managerial roles while black workers were destined to the largely menial, unskilled jobs. The class tensions between white and black workers led to a tense situation, with the social order being upheld by violence and controlling mechanisms such as compounds and pass laws.

The mines did not want to pay white workers more or even have them in superior roles because they would rather have everyone at the cheapest wages possible. However, any attempts to devalue the work done by whites were met with coordinated resistance in the form of strikes.[44] White workers were all proletarians, and this meant that their families relied heavily on the breadwinners of their families, and therefore their men's mining skills.[45] Of course, these differences were also based on the dividing force of race. Racist and emasculating lexicon permeated the time as Historian Patrick Harries said, "this terminology was not only an expression of inequality between blacks and whites; it also created those inequalities and locked whites into a discursive world in which black workers were permanent inferiors."[46]

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[42] Van Onselen, *New Babylon, New Nineveh*, 275.
[43] Van Onselen, *New Babylon, New Nineveh*, 2.
[44] Harries, *Work, Culture, and Identity*, 126-7.
[45] Harries, *Work, Culture, and Identity*, 126-7.
[46] Harries, *Work, Culture, and Identity*, 127.

The Witwatersrand was home to thousands of African migrant workers, who were distinctly separate from the many other migrants (*uitlanders*). The emphasis on coercion and racism laid the groundwork for the criminalization of Africans through the pass system.[47] The pass system showed the Boer Republic's preference towards necropolitical power.

However, the Ninevites managed to thrive in this environment. They were able to recruit and conduct their criminal activities within the compounds. The gang leveraged the social vacuum, violence, and poor health conditions to recruit and build their secret society. This was showcased through the testimony of Johnson Johannes, a *Xhosa* man who grew up in the Cape Colony and had previously obtained several work contracts to mine on the Witwatersrand.[48] It was during one of his later contracts in Krugersdorp that he was placed in a mining compound room with the gang members.[49] Johannes could tell that his room was full of criminals because of the "manner that they behaved."[50] The large dormitory rooms allowed gang members to congregate, helping them organize robberies and hide their stolen goods.[51] Johannes was coerced into joining through the threat of violence and the offer of protection in gaol.[52]

Mine workers were particularly vulnerable to the influence of the gang within the compound system. Seeing that he was in a room full of criminals, Johannes tried to change rooms so he would not become a member.[53] However, when Johannes spoke to the compound policeman and informed him that he was in a room full of gang members, he was refused a new room.[54] This was either because the policeman was a member of the gang or because he feared

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[47] Kynoch, Gary. "Of Compounds and Cellblocks: The Foundations of Violence in Johannesburg, 1890s-1950s." Journal of Southern African Studies 37, no. 3 (2011): 463. http://www.jstor.org/stable/41345708.
[48] Johnson Johannes, "Testimony Under Oath," Department of Justice, *Annual Report for the Year*, 1912.
[49] Johannes, "Testimony Under Oath," 1.
[50] Johannes, "Testimony Under Oath," 1.
[51] Johannes, "Testimony Under Oath," 1.
[52] Johannes, "Testimony Under Oath," 1-2.
[53] Johannes, "Testimony Under Oath," 1.
[54] Johannes, "Testimony Under Oath," 1.

retribution from its members. The compound policemen and the police force as a whole were incapable of stemming criminal activity in the compounds. This created a careful balance between the compound leadership and the gang. Balance had to be achieved through give-and-take rather than pure authority. This meant the gang had some autonomy to conduct its activities. The refusal to find Johannes a new room showcased the power the Ninevites held throughout the Witwatersrand.

The compound heads and policemen were unable to adequately deal with the gang due to a lack of resources and the possibility of retribution. So, criminals gained operational and bargaining power while the leaders in the compounds kept their jobs and maintained production in the mine by keeping the 'peace'. Johannes was at a tipping point; either he joined a gang of criminals or risked retribution, which would be swift considering he lay his head down next to them each night.

However, even if Johannes had wanted to try to escape the gang, his decision was made for him. The compound policeman whom he confided in said, "The whole compound is full of criminals you had better join their society."[55] Johannes was refused a new room, and his decision was made clear. This moment also showed how a compound policeman, a symbol of authority for the necropolitical colonial state, ceded his authority and acknowledged the authority of the Ninevites within the compound. The policeman's advice "you had better join their society," acknowledged that the Ninevites had subverted the authority of the compound, a total institution.[56] Johannes could not escape the gang's influence in the mining compound, they had effectively transferred the necropolitical power from the state to themselves.

[55] Johannes, "Testimony Under Oath," 1.
[56] Johannes, "Testimony Under Oath," 1.

This influence was the reason that Johannes joined the gang. However, for the same reasons that the compound policeman had no power to help Johannes, Johannes would also benefit. He would receive protection being a part of the gang; this was his tipping point as he was told by Captain Mabuugiyisa of the number one gang that, "If [he] had been convicted and sent to the Gaol and if [he] did not belong to this society the other prisoners in Gaol would kill [him]."[57] Not only did the gang have effective control of the compound, but they also controlled the prisons. Protection was the final reason Johannes joined the gang.

Johannes became a member of the number three gang.[58] In the number three gang, he would act as a soldier for the captains and generals when called upon.[59] Johannes's story showed the reality of life as a mineworker on the Witwatersrand in the early 1900s. In the end, Johannes proved an easy target. This story highlighted the extent of control the gang held over the mining compounds and prisons in the early Witwatersrand. Johannes joined the gang because they showed that their influence reached into the gaols. They gave him a choice: become a criminal and be under the gang's protection or continue being honest and risk failing to be protected.

Johnson Johannes was forced into becoming a soldier for a violent gang on the Witwatersrand, who would not hesitate to kill him, but Johannes made a rational decision. The gang was capable of committing wicked acts against those who refused to join. A cruel punishment known to the gang as "*Chiya Sigubu*" was common.[60] This violent act was when around six gang members grabbed hold of their victim and threw them up as high as they could, only to let them fall on the concrete floor.[61] Done over a concrete floor and multiple times, it was an effective technique to inflict the most physical injuries and psychological harm through fear

[57] Johannes, "Testimony Under Oath," 2.
[58] Johannes, "Testimony Under Oath," 2.
[59] Johannes, "Testimony Under Oath," 2.
[60] Johannes, "Testimony Under Oath," 2.
[61] Johannes, "Testimony Under Oath," 2.

and cruelty. This cruel act served as a warning and punishment to those who did not conform to the gang's wishes.

This form of torture was what had informed Johannes's decision.[62] He had witnessed the gang performing Chiya Sigubu during his stay at the compound. Johannes said that a worker who had vehemently refused to join the gang was brought into the gang's compound room.[63] There, the gang members proceeded to perform the Chiya Sigubu*,* throwing the worker up into the air only to let him fall on the floor.*[64]* Four of the gang members were sentenced to one to two years in prison because of it.[65] However, this was a boon for them because they would be rewarded for their violent actions in prison by the gang. The worker who had been the victim of the cruel act was admitted to the hospital, where Johannes said, "He remained a very long time."[66]

This form of punishment was one of a few practices that served to intimidate non-members and keep control and discipline over its members. Chiya Sigubu was a ritualized form of punishment that served to assert and enforce the gangs sovereignty and law. However, the gang members were still held accountable to an extent. This highlighted that there were consequences for their actions. While the gang held power in the compounds, there was still a push-and-pull between them, the compound authorities and the police. Despite this, Johannes's testimony highlighted how the Ninevites had subverted the power of the total institution, using sophisticated rituals and punishments to enforce their sovereignty, taking the necropolitical power from the colonial state and giving it to themselves.

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[62] Johannes, "Testimony Under Oath," 2.
[63] Johannes, "Testimony Under Oath," 2.
[64] Johannes, "Testimony Under Oath," 2.
[65] Johannes, "Testimony Under Oath," 2.
[66] Johannes, "Testimony Under Oath," 2.

Further, the story of Johnson Johannes highlighted the Ninevites' coercive nature and how the gang filled a need for protection. Protection was a strong need, especially for African migrant workers who were criminalized through the pass laws. Sadly, not only did adult migrant workers make their way to work in the gold mines. Young children were also recruited, and found themselves staying in mining compounds along the Witwatersrand.[67] If adult migrant workers were vulnerable to the necropolitical power of the colonial state, then children's vulnerability was even more pronounced.

The amalgamation of men from across Southern Africa, brought together by a coercive migrant labor system, inevitably created a situation of profound underlying social tension along the gold-rich Witwatersrand. The mining environment on the Witwatersrand provided the perfect environment for a counter-society to thrive. The constant influx of people and the vast wealth generated by the gold mines provided the gang with cash-rich targets and a large enough population to maintain anonymity. Furthermore, the industrialized landscape itself offered refuge. By using old mineshafts, abandoned buildings, and the surrounding hills, the gangs could mask their presence and evade the weak Transvaal police force.

The lack of social cohesion, which created a turbulent social situation, allowed criminality to flourish. It was a clear issue that contributed to the rise of the Ninevites. However, the coercive, unjust, and cruel nature of the migrant worker system was another. The deliberate creation of artificially low wages, structural racism, and pass laws that controlled and criminalized African workers were clear manifestations of necropolitical power in the Transvaal. These are manifestations of necropolitical power because by introducing these restrictions, it effectively rendered African men who worked on the Witwatersrand socially dead. These

[67] Harries, *Work, Culture, and Identity*, 128.

policies severely hindered African autonomy and independence, creating individuals whom the Ninevites could recruit or take advantage of.

The creation of the lumpenproletariat, a class of people who could not effectively participate politically and economically on the Witwatersrand, was a direct result of the Transvaal's failure to ensure social cohesion, the dispossession of Africans from their land which forced them into wage labor, and the racism of the Transvaal and mining industry which kept African workers in menial jobs with upward mobility. It was the lumpenproletariat who found power and status within the Ninevites, who offered them a chance to gain power, acquire money, and receive protection.

3. Nongoloza, Necropolitical Control, and the Ninevites' Formation

To understand the gang's formation and motivations, understanding the leader is imperative. The organized criminal gang was created by "Nongoloza," an alias of Mzuzephi Mathebula, who was born in KwaZulu-Natal in 1867.[68] Mathebula had grown up with three brothers and two sisters, leading a normal childhood, herding his father's cattle in the foothills of the *Drakensberg*.[69] He had followed the normal route of a rural African teenager embarking on his first bout of migrant work. Mzuzephi's childhood experience was common; herding cattle and embarking on migrant labor were unifying experiences for rural African teenagers in South Africa.

His experience was not an isolated one in the colonial landscape of southern Africa. Migrant work was prevalent during this time, with people traveling, sometimes over vast distances, to find work. For example, the diamond mines at Kimberley were a prominent

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[68] Charles van Onselen, *The Small Matter of a Horse: The Life of 'Nongoloza' Mathebula , 1867-1948* (Johannesburg: Ravan Press, 1984), 17.
[69] Van Onselen, *The Small Matter of a Horse*, 17.

destination for migrant work. People embarked on migrant labor for different reasons: escaping patriarchal influence, seeking adventure, seeking money, receiving orders from the chief, and a lack of other opportunities to earn a living. Migrant labor was a prominent force throughout Mzuzephi's life, and later, with his gang, he utilized the force for his benefit.

Close to home for Mzuzephi, and a larger crisis was the conquest of the Zulu kingdom in 1879, which exposed the entire nation to exploitation by the British Empire.[70] As with all conquered nations, life changed dramatically, but it was extremely difficult because of cultural differences. For example, the Zulus did not use the European calendar.[71] This fundamental change in how daily life was conducted was but one of the many disruptive changes that gradually occurred. The main change was the turning of the Zulus into wage laborers. Gradually, white farmers had obtained land, and therefore, the Zulu workers had become dependent on them. The extent of the power this granted white landowners was illustrated by the situation with the horse. White landowners enjoyed unilateral power, which created the conditions that led to a life-changing injustice.

As a migrant laborer, Mzuzephi worked as a groom on Tom Porter's farm, who represented the average white settler with unilateral power over his workers. Notably, the young man fulfilled his role quite adeptly.[72] However, despite Mzuzephi's good work, he was falsely accused of losing a horse. The young man ardently refuted the accusation, stating that "I told him that as I was working in the garden that day, he could not hold me responsible for the loss."[73]

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[70] Thompson, *A History of South Africa*.
[71] Atkins, Keletso E. "'Kafir Time': Preindustrial Temporal Concepts and Labour Discipline in Nineteenth-Century Colonial Natal." *The Journal of African History* 29, no. 2 (1988): 229–44. http://www.jstor.org/stable/182382.
[72] Van Onselen, *The Small Matter of a Horse*, 18.
[73] Van Onselen, *The Small Matter of a Horse*, 19.

Furthermore, he had not been tasked with looking after the horses that day; “all the horses were out grazing alone.”[74]

Despite his refutation of the accusation, he was disregarded. Mzuzephi was instructed to return to his kraal and work there to recoup the cost of the lost horse. His wages would be returned to his former employer.[75] The sum for the lost horse constituted essentially months of unpaid labor.[76] This unfortunate event, which was a terrible injustice, did not make Mzuzephi buckle. He did not conform to colonial expectations. The young man's fortitude was exemplified when he told his brother, “[he] could not work for what [he] did not lose.”[77]

Yet, Mzuzephi’s family reinforced his need to submit work for the lost horse.[78] When Mzuzephi returned home, he asked his brother, “whether it was the law, and whether he thought it fair that I should work and have my wages kept back for the horse which I did not lose."[79] His brother only encouraged him to accept his situation, saying, "I must work or they would put me in gaol.”[80] Fearing the backlash from fighting the colonial system, even his brother encouraged him to accept the injustice. His own family encouraged him not to resist.

The young man had played his expected part within the colonial system. He had engaged in migrant work and followed the life path set out for young African men. The young, capable man had done everything required, even distinguishing himself with his skill, but this could not change what he was: a “native”.[81] This was a turning point for Mzuzephi because, while he grappled with this unjust situation, he was also confronting his true position within colonial

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[74] Van Onselen, *The Small Matter of a Horse*, 19.
[75] Van Onselen, *The Small Matter of a Horse*, 19.
[76] Van Onselen, *The Small Matter of a Horse*, 19.
[77] Van Onselen, *The Small Matter of a Horse*, 19.
[78] Van Onselen, *The Small Matter of a Horse*, 19.
[79] Van Onselen, *The Small Matter of a Horse*, 19.
[80] Van Onselen, *The Small Matter of a Horse*, 19.
[81] Frantz Fanon et al., *The Wretched of the Earth* (New York: Grove Press, 2022).

society. How nonsensical the situation must have seemed to him. He had not lost the horse, had done his job with notable adeptness, and followed the wishes of his family. Yet, he was forced to endure a terrible injustice. In the end, he was forced to confront his defenseless position as a "native" within colonial society.[82]

The denial of justice and labor control was an individual manifestation of necropolitical control. Mzuzephi's situation forced him to confront the possibility that his agency could be stripped from him on a whim, which catalyzed Mzuzephi Mathebula's transformation from a docile migrant worker into a determined, violent outlaw who organized the Ninevites to combat his defenselessness and powerlessness against the necropolitical power of the colonial system.

Assuredly, Mzuzuephi had never been extensively taught the history of his nation; he had not been educated on what colonialism and imperialism meant. However, when he was about to be forced to pay for a horse he did not lose, he understood the defenseless position he was in. He understood his position and, therefore, the limitations of his future within the colonial system. Mzuzephi took the chance to escape to the Witwatersrand in 1886, changed his name, and adopted the alias Jan Note.[83] The creation of this alias and his arrival on the Witwatersrand created distance between him and his situation. Further, the shedding of his old identity symbolized his rejection of who he was, a powerless “native” migrant worker.

The young man found work as a “houseboy,” but soon left to become a groom for a group of European men.[84] Impressed by the now Jan Note’s adeptness in handling their horses and his apparent discretion, he was invited along for their “work.”[85] However, their line of work was

[82] Fanon, *The Wretched of the Earth.*
[83] Van Onselen, *The Small Matter of a Horse*, 20.
[84] Van Onselen, *The Small Matter of a Horse*, 20.
[85] Van Onselen, *The Small Matter of a Horse*, 21.

criminal.[86] The group was highway robbers who pretended to be policemen, while they "searched" for contraband.[87] They gained their profit by taking the wages found on the handcuffed African migrant workers as they headed home. It was through this group of highway robbers and his experience with them that Jan Note underwent a criminal apprenticeship, learning how robbery was performed on the Witwatersrand.

However, once Note had sufficiently learned the techniques of highway robbery, he no longer wanted to work as a junior member with his current "employers". With his criminal background, he could start his own gang. He realised the first step towards this in early 1890 when Note received recognition from Nohlopa, a leader in the local underworld, for his "professionalism and sense of purpose."[88] Note, Nohlopa, and a third man named Nhlaka would form a partnership and in a year or two would preside over around two hundred *izigebengu* (common criminals).[89]

Unshackled from his former identity, Jan Note could fulfill his ambitions. Initially, the leader of the *izigebengu* was a Zulu man named Nohlopa, but Note took over and became the group's leader. Note became the leader because Nohlopa had been convicted and thrown in jail for robbing a tailor's shop in Kerk Street, Johannesburg.[90] Notably, Nohlopa used his time in prison to learn how to read and write.[91] His education changed his life course, and by the time he had been released from prison, "he no longer wished to lead a criminal life, and … would spend his time preaching the word of God to blacks on the Witwatersrand."[92] These events left Jan Note in charge of the *Izigebengu*.

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[86] Van Onselen, *The Small Matter of a Horse*, 22.
[87] Van Onselen, *The Small Matter of a Horse*, 22.
[88] Van Onselen, *The Small Matter of a Horse*, 22.
[89] Van Onselen, *The Small Matter of a Horse*, 22.
[90] Van Onselen, *The Small Matter of a Horse*, 22.
[91] Van Onselen, *The Small Matter of a Horse*, 22.
[92] Van Onselen, *The Small Matter of a Horse*, 23.

Note took charge and reorganized the "largely shapeless riff-raff drawn from the fringes of the underworld" into a new organization, "Run on quasi-military lines."[93] Note took inspiration from, "His family hero, *Nkosi Bomvu* – Shaka – the Fierce King."[94] The loosely organized group, which had formed around *Izigebengu,* became the gang most commonly known during the era as the Ninevites.[95] This transformation occurred in the 1890s and marked a shift from common criminals to a gang.[96]

Jan Note, who had "distinctive glaring eyes," would achieve the nickname of Nongoloza because of it.[97] Jan Note's new alias, Nongoloza, would grow and develop into a symbol for the downtrodden, cementing him into the social consciousness of the lumpenproletariat through the gang's action against the necropolitical power of the Transvaal.[98] Nongoloza also introduced an important aspect to the gang: The Laws of Nineveh. Based on the bible, Nineveh was specifically chosen. Nongoloza said, "I laid them under what has since been known as the Nineveh Law. I read in the bible about the great state Nineveh, which rebelled against the Lord, and I selected that name for my gang as rebels against the government's law."[99] These laws allowed the group to become more cohesive by uniting the members under an ideology that guided their decision-making. This is where their more common name, the Ninevites, would come from. The gang name of the Ninevites symbolized their rebellion.

Nongoloza also implemented a rigid hierarchical structure in his gang. The rankings took the symbols of colonial power prevalent throughout South Africa. This meant that a regular mineworker, or even a traditional unemployed person, could become a General, Magistrate, or

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[93] Van Onselen, *The Small Matter of a Horse*, 23.
[94] Van Onselen, *The Small Matter of a Horse*, 23.
[95] Van Onselen, *The Small Matter of a Horse*, 22.
[96] Van Onselen, *The Small Matter of a Horse*, 26.
[97] Van Onselen, *The Small Matter of a Horse*, 33.
[98] Van Onselen. "Crime and Total Institutions."
[99] Nongoloza, "Testimony From Gaol," Department of Justice, *Annual Report for the Year*, 1912, 1.

Induna. This symbolism was not lost on its members, who wielded real power through the hierarchy instituted by Nongoloza. Gang members now had the power to order the death of other members found guilty of transgressions and order members to kill on the gang's behalf. Nicholas Haysom described this phenomenon by saying that, "borrowing exclusively the symbols of power of a colonial administration, Nongoloza and his successors … appealed to the victims from a disintegrating traditional culture."[100]

The gang's structure represented this in its hierarchy instituted by Nongoloza:

"The system I introduced was as follows: I myself was the Inkoos Nkulu or King. Then I had an Induna Inkulu, styled Lord and corresponding to the governor general. Then I had another Lord who was looked upon as father of us all and styled Nonsala. Then I had my Government who were known by numbers, number one to number four. I also had my fighting General on the model of the Boer Wecht Generaal. The administration of Justice was confided to a Judge for serious causes and a Landdrost for petty cases. The medical side was entrusted to a Chief Doctor or Inyanga. Further I had Colonels, Captains, Sergeant Majors, and Sergeants in charge of rank and file the Amasoja or Shosi (Soldiers)."[101]

As seen in Nongoloza's system, he clearly borrowed Zulu, Afrikaans, and British titles, which were colonial symbols of power. He also revealed how detailed the gang's hierarchy was. The gang consisted of the government, the army, the doctors, and the justice system. Nongoloza took symbols of colonial power and used them to his advantage.

However, it took nearly two decades for the gang to become notable enough for the Transvaal government to notice. The gang had formed when Johannesburg was "little more than a town of tents." In the 1890s, the gang still predominated in the hills, disused mine shafts, and abandoned buildings prevalent throughout the gold-rich Witwatersrand.[102] Detective Hoffman described the vagrant nature of the gang:

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[100] Nicholas, Haysom, "Towards and Understanding of Prison Gangs" (Master Thesis, University of Cape Town, 1981), 12.
[101] Nongoloza, "Testimony From Gaol," 1-2.
[102] Nongoloza, "Testimony From Gaol," 1-2.

"A large number of members work on the mines on the Reef and in ricksha yards in town, several are also known to work as kitchen boys, others are frequently found in old shafts, holes, and disused buildings, the latter are of the vagrant class, and are continually arrested and charged as such, sentences up to 6 months being inflicted. These vagrants have often told me that they have no fear of gaol, as it is much better than being outside, where they are continually harassed by the police and asked for their passes."[103]

Hoffman's insight into the members of the gang describes a vagrant class, lumpenproletariat, which is unafraid of going to prison because it is better than being "harassed by the police and asked for their passes."[104] This explains just how terrible the power of the necropolitical Transvaal state was to people from the lumpenproletariat class, who were especially powerless against it. However, it also speaks to the reach the gang had: members worked in the mines, ricksha yards, and as kitchen "boys".[105] This meant the gang had influence across many spheres of the Witwatersrand, and the constant arrests of members for vagrancy enabled communication between members on the outside and those in prison.

While the gang started as a group of common criminals and vagrants, they gradually professionalized as Jan Note/Nongoloza envisioned. Through the 1890s and the first decade of the 1900s, the Ninevites grew in professionalism, once held up in disused mineshafts and abandoned buildings; now, some members would find work at a mining compound to obtain a pass.[106] As the gang added employed members to their ranks, they became a hybrid of unemployed and employed members.

As noted, these members worked on the mines and other menial jobs on the Witwatersrand. As a result, the Ninevites could subvert the necropolitical power of the compound system. Their employed members would be eligible for a pass, which was then given to other members who would use it to commit crimes. Pass sharing was a common practice for

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[103] Detective Hoffman, "Letter to Inspector in Charge," Department of Justice, *Annual Report for the Year*, 1912, 2.
[104] Detective Hoffman, "Letter to Inspector in Charge," 2.
[105] Detective Hoffman, "Letter to Inspector in Charge," 2.
[106] William Futter, "Sworn Statement," Department of Justice, *Annual Report for the Year*, 1912, 1.

the gang. The practice allowed gang members to hide in plain sight and to more easily commit criminal offenses. Nongoloza's vision for the gang allowed the Ninevites to take root in the mining compounds, prisons, and the Witwatersrand itself.

This transformation was highlighted by a detective of the Transvaal police force. Walter William Futter, part of the criminal investigation department of the Transvaal police, joined the department in 1904 and was put on plainclothes work.[107] The detective became aware of the criminal organization around 1909.[108] Futter saw firsthand the transformation that Nongoloza set into motion. He noticed that criminals on the Witwatersrand had changed their approach because, initially, the only criminals Futter arrested were vagrants without passes.[109] However, in 1911 to 1912, criminals obtained passes through employment or borrowed passes from their criminal friends.[110] Futter had seen the gang's transformation firsthand, noting that the criminals on the Witwatersrand had become more proficient at their crimes. Futter's statement showed that the Ninevites were able to exploit the pass system to conduct their criminal activities more effectively and to leverage the necropolitical power of the pass laws.

The mining industry led to the mass integration of cultures on the Witwatersrand. The rapidly industrializing gold industry brought many different cultures to the Witwatersrand through migrant workers and uitlanders. There was also a distinct clash between African and European cultures. In this sense, Nongoloza's ranking structure showed the amalgamation of cultures during this time, incorporating symbols of power from the Zulu, Afrikaans, and British.

4. The Prison as a Total Institution: Consolidating the Ninevites' Power

[107] William Futter, "Sworn Statement," 1.
[108] William Futter, "Sworn Statement," 1.
[109] William Futter, "Sworn Statement," 1.
[110] William Futter, "Sworn Statement," 1.

As stated before, the clear lack of social cohesion in the Transvaal created constant challenges for the stability of the young state. This kept the social situation on edge as the Transvaal's government and institutions constantly tried and failed to effectively deal with the rapidly changing social environment. This left the door open for social unrest and criminality. However, the lack of effective institutions helped people like Jan Note and his gang gain an initial foothold on the Witwatersrand. The situation helped the early gang grow. Professional and petty criminals dominated the Transvaal and surrounding areas. The weakness of the Transvaal was highlighted by the Transvaal Deputy Commissioner in a letter dated the 28th of January, 1913, to the Secretary of the Transvaal police, "I do not think that much is to be expected of the police under the existing conditions."[111] It was the Commissioner's view that, "So long as native habitual prisoners are let loose on the community when they are discharged from prison, it will not be possible to prevent them organizing criminal gangs."[112] The Commissioner also doubted the effectiveness of the "native" police in dealing with "native" criminals, as he said, "I do not consider that the native police is at present capable of dealing effectively with native criminals."[113] The Transvaal's own Deputy Commissioner did not think that the police force and current system effectively handled crime.

Nongoloza's reorganization of the loosely organized *Izigebengu* into the gang mostly commonly known as the Ninevites did not go unnoticed. The increasing organization and activity of the gang brought more members to become increasingly incarcerated for crimes during the 1900s.[114] The Transvaal's prisons were under-equipped to effectively deal with the influx of the Ninevites with their effective hierarchy and ideological base through the Laws of Nineveh.

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[111] Transvaal Deputy Commissioner, "Letter to the Secretary of the Transvaal Police," Department of Justice, *Annual Report for the Year*, 1912, 1.
[112] Transvaal Deputy Commissioner, "Letter to the Secretary of the Transvaal Police," 1.
[113] Transvaal Deputy Commissioner, "Letter to the Secretary of the Transvaal Police," 1.
[114] William Futter, "Sworn Statement," 1.

The lack of effective prisons meant that hardened criminals were mixed with common ones. The justice institutions of the Transvaal failed to curb crime effectively; in fact, the system served to encourage it. The Ninevites became a strong force within the Witwatersrand prisons.

The British administration would tighten the pass controls in 1905 after they had taken control of the Transvaal during the South African War (1899-1902).[115] These laws would be used to criminalize African men and through this criminalization, otherwise law-abiding citizens would be subjected to the harsh world of prison. As Historian Gary Kynoch said, "The threat of harassment, arrest and incarceration was a day-to-day reality for Johannesburg's African population and remarkable numbers of black men were cycled through the prisons."[116] By 1905, pass offenders already constituted the majority of prisoners in the Transvaal goals but that only increased. The tightening of the pass laws in 1905 specifically changed their function from wage control to movement control for African workers, further destroying Africans physical agency.

However, the pass laws of 1905 increased the power of the Ninevites. It was this incarceration that exposed thousands of African men to the gang. The prisons of the Witwatersrand created a forced socialization of African men with the Ninevites. The protection offered by the gang was a clear benefit for joining the ranks of the Ninevites. Once socialized with and taught the laws, the prisoners were once again set out onto the Witwatersrand, now with criminal teachings.

Prison, which was meant to punish criminals and decrease the chances of reoffense, proved to only worsen the situation. This was due to many factors: the lack of single cells, corruption among the warders, and a lack of resources.[117] Their hierarchical structure, combined

[115] Gary Kynoch, "Urban Violence in Colonial Africa: A Case for South African Exceptionalism." Journal of Southern African Studies 34, no. 3, 631.
[116] Kynoch, "Of Compounds and Cellblocks," 471.
[117] Department of Justice, *Annual Report for the Year*, 1912.

with the fact that committing violent acts increased their rank and status, proved perfect for the prison environment. The incarceration of many men who otherwise would have never been in prison created a flow of inexperienced prisoners into the Transvaal prison system. These factors created an environment where the Ninevites ruled and grew.

Prison did not break these members into becoming docile members of society. Rather, the gang consolidated in the prisons and achieved a significant amount of control. Conveniently, the warders would constantly bring new recruits to the gang. Increasingly, the Ninevites would become a prison gang. The ranking structure and the constant conviction and release of prisoners ensured that orders still flowed out from within the prison walls. In 1912, the Public Prosecutor said, “One boy told the court yesterday that Jan Note @ Nongoloza frequently sends orders from the gaol to them to carry out.”[118]

The gang's ability to maintain its ranking structure and communicate with outside members enabled it to exert influence and gain more resources. Nicholas Haysom described what a strong prison gang consists of: “The strength of a prison gang is not solely determined by the number of its members, but also by the weapons it can muster or manufacture and the discipline and ruthlessness of its fighters.”[119] The gang took full advantage of the pass laws. The Ninevites, once a small group, now had a convenient way to spread their teachings and practices throughout the Witwatersrand.

Erving Goffman's theory of the total institution helps explain how the Ninevites achieved control throughout the Transvaal prison system. A total institution is a place where a large number of individuals are closed off from society and live in an enclosed, heavily administered environment. The mining compounds and more specifically the Transvaal gaols functioned as

[118] Public Prosecutor, “Letter to Attorney General," Department of Justice, *Annual Report for the Year*, 1912, 2.
[119] Haysom, “Towards,” 16.

total institutions; they stripped migrant workers of their identities and subjected them to the absolute authority of the state. However, despite this control, the Ninevites were able to establish a powerful counter-society within the prison walls. The gang became the authority in the prisons, co-opting the warders' and policemen's authority. Instead of institutional discipline, the prison's discipline was controlled by the Ninevites. They had a robust hierarchy and justice system that managed to fill the void left by the Transvaal's penal system.

The testimony of Mswazi, a fifteen-year-old boy who was recruited to work for a ten-month contract at the Cyanide Tanks in New Kleinfontein, shows how the Ninevites used total institutions to grow their power.[120] Mswazi and another thirteen-year-old boy named Watches were introduced to a Ninevites member named Philmon through a mine recruiter.[121] The fact that this transpired showed that the gang had members in a plethora of mining industry positions, which allowed the gang to robustly subvert the colonial state's necropolitical power. Mswazi and Watches had intended to work at *Komati Poort*, but Philmon asked them to come with him to a mine in Johannesburg.[122] The young boys agreed because "He knew his way about to and from Johannesburg."[123] The children saw Philmon as a person who could protect them, or at least show them how to get around Johannesburg. The vulnerability of the children was a key reason they were absorbed into gang culture.

Furthering their association, Mswazi, Watches, and Philmon were placed into one room in the New Kleinfontein compound.[124] The children, Mswazi and Watches, slept together while Philmon slept alongside them on the same bunk.[125] However, after one month in the mines,

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[120] Mswazi, "Testimony Under Oath," Department of Justice, *Annual Report for the Year*, 1912, 1.
[121] Mswazi, "Testimony Under Oath," 1.
[122] Mswazi, "Testimony Under Oath," 1.
[123] Mswazi, "Testimony Under Oath," 1.
[124] Mswazi, "Testimony Under Oath," 1.
[125] Mswazi, "Testimony Under Oath," 1.

Philmon suggested to Mswazi, "To sleep with him for the purpose of committing sodomy."[126] Mswazi refused, and Philmon responded by saying, "If he ever got [Mswazi] in gaol he would strangle [Mswazi] with a towel and choke [Mswazi] by stuffing porridge down [his] throat."[127]

The threat showed Mswazi the power dynamic within the mining compound. Philmon had been given the ability, by the Ninevites, to kill Mswazi. While the gang protected its members, it also bestowed power. While deeply anti-social, the Ninevites did deliver power and status, which made an ordinary African migrant worker have the power to decide to kill someone else. In fact, violence was rewarded within the gang.

After a few months at the mining compound, Philmon joined *Nondish's* gang under *Mboma*.[128] But of course, the "big chief" was "Nongoloza."[129] He joined the gang at Barberton and was given the rank of *Masilver*.[130] At Barberton, Philmon assaulted a warder and threw away his rifle in a *sluit* (Ditch).[131] For this, he was promoted to *Ekehla*.[132]

Mswazi's story represents the lure of joining the Ninevites, who offered wealth, status, and adventure. However, it also reflects the gang's coercive nature. The District Commander of the Transvaal's police force stated that: "Veritable children are enrolled in the gang for immoral purposes in the first instance, and presumably when they attain riper years are transferred to the active criminal branch as their training starts whilst they are still youngsters."[133]

Community ties protected migrant workers; by themselves, they were easy targets. This was highlighted in Nkuku's testimony. In 1906, Nkuku was a Zulu mine worker in

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[126] Mswazi, "Testimony Under Oath," 1.
[127] Mswazi, "Testimony Under Oath," 1.
[128] Mswazi, "Testimony Under Oath," 1.
[129] Mswazi, "Testimony Under Oath," 1.
[130] Mswazi, "Testimony Under Oath," 1.
[131] Mswazi, "Testimony Under Oath," 1.
[132] Mswazi, "Testimony Under Oath," 1.
[133] Mswazi, "Testimony Under Oath," 1.

Randfontein.[134] Nkuku was coerced into joining the Ninevites. Nkuku met the Captain of gang number one, Mahlebabai, and was persuaded to accompany him into a disused mining shaft.[135] There, Nkuku found, "Kleinbooi, Mafuta (a General) and Jack (a Fort Captain) and three others of junior ranks."[136] In the shaft, Nkuku was told that he had to join the Ninevites.[137] Nkuku had never been convicted before and was hesitant to join.[138] However, the gang members "Held [him] and tied a strap tightly round [his] throat and told [him he] must join."[139] Nkuku was coerced into joining the Ninevites. Nkuku's recruitment was direct and violent. This testimony shows how the Ninevites used the conditions on the Witwatersrand to their advantage. Nkuku was appointed the rank of "office boy" in the number two gang.[140] In 1906, the gang was for juniors and consisted of a few men who worked in the Randfontein. Certainly, some miners were seduced by the protection and status the Ninevites would provide. While many migrant workers wanted to return home after their contracts, it was not uncommon for them to get lost in city life.

The Ninevites in prison were highlighted in The Rhodesia Herald on the 22nd of August, 1913. The article was titled "Convicts' Secret Society: Revelations at Kimberly," and related the story of five convicts who were tried for, "the murder of a fellow convict, Jacob Mkaba, at Dutoitspan convict station." Mkaba had tried to abdicate his role in the gang, encouraged other members to withdraw, and had allegedly spoken to the superintendent of the convict station. The Ex-Chieftain tried to resist efforts to assign him to a specific cell, but eventually succumbed. In that cell, Mkaba was stabbed to death for his transgressions against the gang. One of the accused

[134] Nkuku, "Testimony Under Oath," Department of Justice, *Annual Report for the Year*, 1912, 1.
[135] Nkuku, "Testimony Under Oath," 1.
[136] Nkuku, "Testimony Under Oath," 1.
[137] Nkuku, "Testimony Under Oath," 1.
[138] Nkuku, "Testimony Under Oath," 1.
[139] Nkuku, "Testimony Under Oath," 1.
[140] Nkuku, "Testimony Under Oath," 1.

said the orders came from Pretoria, and another said the rule was, “once a Ninevite, always a Ninevite.” Four out of the five accused were sentenced to death.[141]

The situation described above suggests the power the Ninevites held within the prison system in 1913. The orders came from Pretoria, indicating that they could communicate between prisons, and the ability to move Mkaba into a specific cell showed that the Ninevites had power over the wardens at Dutoitspan Convict Station. The situation that played out at this convict station was a standardized Ninevite process. The article showcased that the gang had adapted to the prison system.

Further examples of the Ninevites' control in prison were detailed in a letter in 1912 from a Detective Hoffman to the Inspector in Charge. In the letter the detective said that, “If an offence is committed by a member, he is brought before a Court formed by the leader, evidence is read, and if found guilty, is punished even to the death sentence being inflicted,”[142] The detective described a ritualized procedure which the gang used to assert its laws on its members in prison. If a member commits an offense against the gang they are put on trial with even the possibility of being assigned the death sentence. This process within prison highlighted how the gang subverted the authority of the total institution and gave itself necropolitical power over its members through a sophisticated system of justice which the Ninevites used.

Detective Hoffman detailed one way the Ninevites carried out a death sentence, “The prisoner is strangled with a wet towel. The executioners then chew mealies, and stuff it down his throat. I am told that natives so found have been certified cause of death due to choking whilst eating mealies.”[143] This statement describes how the Ninevites had developed ways to deceive

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[141] “Convicts’ Secret Society: Revelations at Kimberly.” *The Rhodesia Herald*, August 22, 1913. Newsbank UGA.
[142] Detective Hoffman, “Letter to Inspector in Charge,” 1.
[143] Detective Hoffman, “Letter to Inspector in Charge,” 1.

prison authorities while simultaneously maintaining their authority within the total institution of prison.

5. Identity, Agency, and the Allure of the Gang

The social tension on the Witwatersrand created a powerful psychological incentive for individuals to seek belonging and power within a gang. A gang offered not only status and protection in a chaotic landscape but also provided a vital platform for violent expression, offering a sense of relief for those subjected to systematic subordination.

Colonialism had short-circuited the social structures of African cultures.[144] For example, the influx of young men into the mines disrupted traditional peer-group socialization.[145] The gang's ranking structure represented the clash and amalgamation of European and African cultures happening on the Witwatersrand.

Furthermore, this meant that the gang served as an alternate society for people to escape the impact of colonialism. The ranking structure and laws of Nineveh, combined with the imagery of a bandit king, allowed members to be involved in something beyond the harsh realities of the Witwatersrand. Note would go on to say that, "the attraction of the Nineveh organization to the Natives is that they have tasted the benefits of [the] combination in theft and robbery."[146] The ability to quickly amass wealth played a role in the members joining the Ninevites: "With no work they succeed, [and] when out of prison … amass quite a lot in the proceeds of robbery."[147] It was this incentive that attracted many people to the gang.

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[144] Paul La Hausse, "'The Cows of Nongoloza': Youth, Crime and Amalaita Gangs in Durban, 1900- 1936," Journal of Southern African Studies 16, no. 1 (1990): 79–111. http://www.jstor.org/stable/2636641.
[145] La Hausse, "Cows of Nongoloza," 79-111.
[146] Nongoloza, "Testimony From Gaol," 2.
[147] Nongoloza, "Testimony From Gaol," 2.

The laws of Nineveh added an ideological element to the gang. Their place and intentions were clear: they would oppose the colonial state through their actions. While the necropolitical power of pass laws, structural racism, and denial of basic justice enforced social death, the gang acted as an opposing force. The gang granted its lumpenproletariat members status, power, and agency by repurposing colonial symbols (Magistrates, *Landdrosts*). This counter-society gave its members a new social existence separate from their status as "natives".

Notes' gang effectively subverted the necropolitical power of the Transvaal. Through the gang's cohesive hierarchy, they steadily grew on the Witwatersrand, using compounds and prisons to extend their influence. A worker could sidestep the hard labor of minework and become a member of a gang that stood against the mine's authority and white political domination. Naturally, not every miner sought to engage in rebellion, but the lack of greater opportunities certainly diminished the incentive to work honestly.

Some men were able to maintain their identity in the mines because the mines served as stepping stones toward building their future lives. The hard work in the mines shaped them into men who held respected positions in society. This was described by Professor Dunbar Moodie when he said, "The mines were a testing ground for true manhood, manifested in presiding justly over a rural homestead."[148] The hope to preside over a homestead was a powerful motivator because it meant respectability and influence. However, to fulfill this dream, money and resources were needed. Migrant work in the mines provided men with an opportunity to build their lives in whatever form they chose.

So, for some, they were not influenced by the appeal of the Ninevites. The wages earned, while artificially kept low, were still enough to keep men on the straight and beaten path. The

[148] Moodie, *Going for Gold*, 38.

mines offered a path to manhood: building a homestead, marrying, and having children. Staying in the mines forever was a fear for many because it meant they had forsaken their place in their community.[149] Dying old and alone because of this was a healthy fear that kept men on the honest path. However, the day-to-day reality of migrant workers put this idealism to the test. If they were not strongly connected to their family and community, they were vulnerable to the gang's influence.

Johannes was coerced, but other members of the gang willfully joined in search of money, protection, and identity. This can be showcased through the testimony of "*Kleinbooi.*"[150] This name, which translates to 'small boy,' is an alias. It is also an *Afrikaans* name for a person who is not Afrikaans. Perhaps this name was given to him by one of his previous employers, or perhaps just said to him in passing. His name evokes the emasculating lexicon prevalent during the early Witwatersrand.

Kleinbooi's testimony provided greater detail of the gang's recruitment methods. Kleinbooi stated that workers were only recruited in compound rooms with gang members, "We do not go around from room to room and recruit members, it is only those in the room and those that visit it."[151] However, a discrepancy arose in Kleinbooi's testimony. Kleinbooi said that workers could refuse to become gang members and that "it is not considered very serious."[152] This was an obvious untruth due to his previous actions and Johannes's experience. Nonetheless, he went on to say, "But if he was in Gaol and he refused to join, he would be assaulted by means of the (Sigubu)."[153] Kleinbooi held a rank of responsibility within the Ninevites; he was a

[149] Moodie, *Going for Gold*, 141.
[150] Kleinbooi, "Testimony Under Oath," Department of Justice, *Annual Report for the Year*, 1912, 1.
[151] Kleinbooi, "Testimony Under Oath," 1.
[152] Kleinbooi, "Testimony Under Oath," 1.
[153] Kleinbooi, "Testimony Under Oath," 1.

Masilva in charge of the *Umfaans.*[154] New recruits were either made soldiers or Umfaans upon joining the gang.

Umfaans were essentially boys in the gang. Receiving an Umfaan was one of the benefits received by high-ranking members. The origin of this can be traced back to Jan Note, when he was reorganizing his gang into a more cohesive, powerful group. Note declared that women were evil and that members should only take younger members of the gang. This declaration was rooted in utility as Jan Note wanted to stop the spread of venereal disease, which he perceived to weaken his gang.[155]

So Kleinbooi's name was a product of the tensions that were prevalent on the mines. On the Witwatersrand, Kleinbooi was just a "small boy." However, this power structure was no different than how the country already operated since the arrival of Jan van Riebeeck in 1652; maintaining white dominance had been a large part of the Great Trek. Inevitably, conflict was created from Afrikaner and British demands for dominance and subservience. This structure of dominance meant that white workers constantly needed to reinforce their position through violence or coordinated protest, and because of this stratification, black workers faced almost no social mobility and faced violent and dangerous conditions. To add to the effects of white power on the Witwatersrand, mine owners constantly worked to reduce African migrant worker wages.

Kleinbooi was a relatively high-ranking member in the gang. He was one of the members who participated in the Chiya Sigubu that Johnson Johannes witnessed. Based on Johannes's testimony, Kleinbooi proved to be an active and eager member of the gang; he was not coerced into joining. Based on his chosen alias, Kleinbooi felt the effects of a politically white dominated society every time his name was called.

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[154] Kleinbooi, "Testimony Under Oath," 1.
[155] Van Onselen, *The Small Matter of a Horse*.

This section showed that the Ninevites were a direct psychological and material response to the colonial states' necropolitical control. Through the creation of a class of lumpenproletariat who lacked a means to earn a respectable living and become a traditional man, the gang's offer of status and power proved effective. Through the Ninevites hierarchy and internal justice system, the gang gave these socially dead men a new social existence, which allowed them to create a better identity for themselves. The gang's ability to use the colonial states' total institutions to their own advantage also only increased their influence.

6. Conclusion

In conclusion, the rise of the Ninevites was due to the necropolitical power of colonial rule on the Witwatersrand. The systematic taking of land and livelihoods from African men created a group that had no real place in society. This group was then pushed into the prison system, which allowed the gang to consolidate into a powerful prison gang. The Ninevites were not a simple gang. They offered a sense of belonging and power to those who had been left behind. Their success shows that even under oppression, people will resist and create their own path.

The gang's success can be understood through three theoretical concepts: Achille Mbembe's Necropolitics, Erving Goffman's Total Institutions, and the Marxist term lumpenproletariat. The state's exercise of necropolitical power gave a racist colonial state the power to determine who had the ability to live and who was exposed to social death. For example, after 1905, the enhanced pass laws were an incredibly effective necropolitical tool because they condemned thousands to social death through the criminalization of movement. In the end, the colonial administration not only exploited African men but stripped them of their physical and economic agency. It was due to this necropolitical power that thousands of migrant

workers on the Witwatersrand were reduced to lumpenproletariat. This socially marginalized, socially disorganized class had lost its ability to achieve traditional economic stability and manhood. It was this group that became prime candidates for the Ninevites.

The state's necropolitical control faltered when its attempt at mass incarceration failed. While the gaols and compounds functioned as total institutions designed to break down individuals, the lack of state resources and the mixing of hardened criminals with pass offenders caused the system to fail. Instead, the Ninevites used the prisons as recruitment hubs, thereby only strengthening their hold on the Witwatersrand. The gang was able to provide status and protection where the colonial state could only degrade. Through the failure of the Transvaal penal system, the Ninevites were able to supersede colonial authority, giving people power and taking it away. The allure of the Ninevites was strong for the lumpenproletariat who had no social mobility. For example, "Kleinbooi" became a Masilva, a person with high status and responsibility within the gang. The gang provided the socially dead lumpenproletariat a new life, making it a rational choice in a hostile colonial environment.

The young man who fled to the Witwatersrand's mining camps in 1886 became a symbol of rebellion. The image of Nongoloza gradually became a powerful inspiration for men in the criminal underworld to idolize and respect. The figure of Nongoloza especially meant a lot to his own gang, which saw him as a symbol of resistance. The power of his name was mentioned in the Annual Justice Report of 1912, ambitious men would “use Jan Note’s name for the purpose of magnifying their importance in the eyes of those whom they persuade to become their followers.”[156] The name of Nongoloza carried deep meaning and respect.

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[156] “Statement as to the Position of the Native Criminal Gangs in Prison,” Department of Justice, *Annual Report for the Year*, 1912, 2.

While the real person inevitably fell short of his image, it was the image concocted from within the prison walls that garnered immense respect and awe from people on the Rand. The name Nongoloza was now a symbol of resistance against white political domination. Their actions became greater than themselves under the leadership of Nongoloza, a symbol of African power and resistance.

Nongoloza's reputation carried him far; it allowed him to control his gang from within his prison cell. That was the level of respect that Nongoloza's name carried. The gang leader had set up an organization that self-perpetuated in his absence. Ambitious men inevitably used Nongolozas' name to get men to follow them. However, this highlights the power and strength of the name Nongoloza as a symbol. While the man would break and renounce his gang in 1912 to warder Paskin, the symbol of the man would persist.

This paper offered insight into the effects of the colonial system on South Africa's industrialization after the discovery of gold and into how racism at every level of society affected people and their opportunities. The stories of Johannes, Kleinbooi, Nkuku, and Mzwazi connect the historical narratives of colonialism to personal accounts of survival on the Witwatersrand gold mines. These stories complicate and illuminate the historical narratives of South Africa by introducing morally ambiguous testimonies of people who, while discriminated against, resorted to criminality. They tell the human story of the Witwatersrand.

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